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26 March 1996

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LETTER DATED 25 MARCH 1996 FROM THE PERMANENT REPRESENTATIVE OF ANGOLA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In conformity with the pertinent information received recently from the Government of Angola and in compliance with the approved March schedule by the Joint Commission, the Chief General Staff of the Angolan Armed Forces (FAA) has announced, beginning Monday 25 March, the withdrawal of its troops to the nearest barracks.

The areas mentioned are the following:

Quelo;

Quiximba, the northern front;

Calima;

Santo Amaro;

Caala;

Cuquema;

Cunje;

Canjala;

Biopio, central front;

Cuvelai;

Mupa;

Tchivemba, southern front.

In accomplishing this programme, the Angolan Armed Forces will be pursuing the task envisaged in the common actions approved just recently for the month of March.

In the same spirit, 500 police contingents (RPI) in Moxico Province were quartered to their barracks under the supervision of the United Nations Angola Verification Mission (UNAVEM III) police observers.

As far as the so-called mercenaries are concerned, the Angolan Government has already stated that the Armed Forces did not have any mercenaries in its ranks.

We want to avail ourselves of this opportunity to recall that to date the National Union for the Total Independence of Angola (UNITA) has only quartered 17,000 of the 60,000 soldiers announced, at a very slow pace, and that those troops have not brought with them all the heavy weapons such as armoured cars and other materials used in their profession.

The Permanent Mission of Angola to the United Nations, on behalf of the Government of Angola, takes this opportunity to reaffirm its steadfast determination to fulfil faithfully all the tasks prescribed in the approved schedule, especially those approved in Franceville, Gabon, on 1 March 1996.

The Government of Angola has already terminated its contract with the Executive Outcomes company and its departure from Angola was supervised by observers from UNAVEM III.

In the spirit of solidarity and respect for human values, we are asking the UNITA leadership to liberate all the prisoners of war remaining in UNITA's custody, since the Government has already done the same.

The Angolan Government kindly requests the President of the Security Council to inform the members of the Security Council regarding the above and requests that the present letter be circulated as a document of the Security Council.

(Signed) Afonso VAN-DUNEM "MBINDA"
Ambassador
Permanent Representative

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GENERAL ASSEMBLY
Fiftieth session
Agenda item 28
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Fifty-first year

Letter dated 26 March 1996 from the representatives of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General

We would be grateful if you would have the enclosed text of the Final Document of the Contact Group Ministerial Meeting, dated 23 March 1996, and of the present letter circulated as an official document of the General Assembly, under agenda item 28, and of the Security Council.

(Signed) Sir John WESTON
Ambassador
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

(Signed) Yuriy V. FEDOTOV
Chargé d'affaires, a.i. of the Permanent Mission of the Russian Federation to the United Nations

(Signed) Francesco Paolo FULCI
Ambasssador
Permanent Representative of Italy to the United Nations

(Signed) Alain DEJAMMET
Ambassador
Permanent Representative of France to the United Nations

(Signed) Tono EITEL
Ambassador
Permanent Representative of Germany to the United Nations

(Signed) Madeleine K. ALBRIGHT
Ambassador
Permanent Representative of the United States of America to the United Nations

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ANNEX

[Original: English and Russian]

Final Document of the Contact Group Ministerial Meeting, dated 23 March 1996

The Contact Group Ministers met in Moscow on 23 March 1995 to review the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina signed in Paris. They reconfirmed their commitment to a strict, just and even-handed approach to the implementation of the Agreement and underlined the significant investment of resources which the international community had already made to this end.

On the whole, implementation is proceeding according to the timetable established by the Agreement. An important threshold has been reached with the transfer of territories between the two Entities within the deadline set out in the Agreement. However, many problems remain which, if left unresolved, will affect the stability and irreversibility of the peace process.

The peace process is now entering a new stage in which the primary responsibility will be on the Parties to give substance to the civilian provisions of the Agreement. The objective of this new stage will be to create a climate of genuine trust and cooperation in Bosnia and Herzegovina. This objective can only be achieved if the Parties demonstrate political will and a sense of initiative to make the peace process a success. The Contact Group Ministers received reports which indicated that this necessary will was lacking. They appealed to all Parties to live up to their responsibilities. This implies both strict compliance with the Parties' obligations in the Agreement and their genuine commitment to reconciliation and to building a common future.

Difficulties encountered at the initial stage of implementation demonstrate the complexity of the task. The Contact Group States, the signatories to the Agreement and the representatives of international organizations present today have reaffirmed their determination to mobilize further their implementation efforts and to ensure that the Parties comply with their obligations.

The Ministers have given careful study to the review of compliance submitted by the High Representative and the Implementation Force (IFOR) Commanders. They supported their conclusions and drew the Parties' attention to the problems in compliance in the following areas: release of prisoners; implementation of the constitutional framework; withdrawal of foreign forces; ensuring freedom of movement; cooperation with the International Tribunal for the Former Yugoslavia; and ensuring freedom of expression and of the press.

In particular, they agreed that failure to release prisoners was a serious case of non-compliance.

They regretted that, despite the Parties' undertakings, given at Geneva, that release would take place by 23 March, this had not happened.

They noted that the obligation to release prisoners was unconditional and agreed that, unless the prisoners were released, it would not be possible to confirm the economic reconstruction pledging conference on the scheduled dates of 12 and 13 April. The High Representative will propose other measures to be taken immediately against any Party that fails to comply with this obligation.

The careful review of specific areas of implementation of the Agreement leads to the following conclusions:

1. IFOR is fully deployed and operational. A constructive interaction between the contingents participating from various countries has been established, offering a good example of partnership and cooperation in the common interests of the North Atlantic Treaty Organization (NATO) and non-NATO countries.

The IFOR Command and the High Representative, in his capacity as overall coordinator for civilian implementation, are carrying out their duties actively and purposefully. The Contact Group Ministers gave them their full support. They considered that it would be difficult to ensure concerted action on all aspects of the operation without efficient coordination of their efforts and mutual support.

The Contact Group Ministers demanded that the Parties fulfil their obligation to withdraw immediately all foreign forces.

The large quantity of land-mines remaining throughout the territory of Bosnia and Herzegovina poses a particular threat. IFOR, the United Nations, the European Union and the High Representative, together with many non-governmental organizations, are considering additional measures to remove this threat. But the primary responsibility for removing, dismantling or destroying all mines rests with the Parties themselves. Support for the newly created Mine Action Centre is essential.

2. All civilian implementation structures called for in the Peace Agreement have now been established. Coordination between the various international institutions has been intensified, though even closer coordination would help the High Representative to continue to implement his mandate effectively.

The activities of the Joint Civilian Commission and other joint bodies established in accordance with the Agreement, as well as the meetings between the governmental leaders of the Entities conducted by the High Representative, are of paramount importance.

For civilian implementation of the Agreement to be successful, strong support, including financial, should be given to the activities of the High Representative, the United Nations and the Organization for Security and Cooperation in Europe (OSCE) missions in Bosnia and Herzegovina, the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC) and other international organizations operating in Bosnia and Herzegovina.

The Contact Group Ministers drew the attention of the international community to the significant funding requirements of the implementing agencies.

If those requirements are not quickly met, the realization of the goals of the Peace Agreement will not be achieved.

3. The Contact Group Ministers deplored recent events in Sarajevo. Reaffirming their commitment to a multi-ethnic community in Bosnia and Herzegovina, they expect all Parties to put into place additional measures to ensure security, freedom of movement and conditions for the return of people affected in Sarajevo and all other transferred areas.

4. The Contact Group Ministers noted in particular that the Parties have not yet amended tne Entities' constitutions to ensure their conformity with the Constitution of Bosnia and Herzegovina. It was noted that the Parties committed themselves to rectifying this situation as soon as possible. It was emphasized that provisions of the Entities' constitutions that fail to comply with the Constitution of Bosnia and Herzegovina were null and void.

5. Success of the Bosnian Federation is crucial to the entire peace process. Citing the upcoming Bonn anniversary meeting of the Bosnian Federation, the Contact Group called upon the Parties to move forward vigorously on measures to strengthen the Federation, in particular those agreed to in Rome and Geneva.

6. A primary goal of the next phase of implementation is the preparation and the establishment of the conditions for elections. In this regard, the Contact Group gave its full support to the work of the OSCE Mission in Bosnia and Herzegovina.

Free, fair and democratic elections, held within the time-frame set out in the Agreement, will lay the foundation for representative government and ensure the progressive achievement of democratic goals throughout Bosnia and Herzegovina.

To this end the Parties should:

- Strictly abide by the rules and regulations established by the Provisional Election Commission for elections at the national and local level;

- Remove all obstacles to election campaigning by all political parties and forces;

- Adopt agreed standards concerning the media in order to assure free and equal access to it for registered candidates;

- Foster the free circulation of information about the election process;

- Renounce the exploitation of nationalism, ethnic separation and hatred in the election campaign.

7. The Contact Group Ministers supported the efforts of the United Nations to fully deploy the United Nations International Civilian Police Task Force in Bosnia and Herzegovina by mid-April. It called upon States Members of the

United Nations to fulfil their commitments to urgently contribute qualified officers to the Force.

8. The return of refugees and displaced persons remains an urgent element in the re-establishment of the political and economic life of the country. The Contact Group Ministers stressed the need to facilitate the exercise of the right of return of refugees and displaced persons as set forth in the Agreement. In this regard, the Ministers further noted the reaffirmation by the Parties of their obligation to fully cooperate with UNHCR and to ensure the efficient functioning of the Commission for Refugees and Displaced Persons provided for in annex 7 to the Peace Agreement.

9. Ensuring the respect for human rights and fundamental freedoms in Bosnia and Herzegovina is indispensable to a lasting peace. The activities of all international organizations in this field should be coordinated fully through the High Representative's Human Rights Coordination Centre.

In this connection, elaboration of a uniform methodology of collecting and assessing human rights information is particularly urgent.

The Contact Group Ministers took note of the following commitments confirmed by the Parties:

- To assume responsibility for the active functioning of the Commission for Human Rights as provided for in annex 6 to the Agreement;

- To ensure that human rights monitoring would be carried out unimpeded;

- To provide access to relevant information to the High Representative's Human Rights Coordination Centre, OSCE, UNHCR and to any other organizations authorized by the United Nations Security Council with a mandate concerning human rights or humanitarian law.

Those who have not done so should adopt an amnesty law without delay.

10. Recalling the Parties' commitment in Geneva, the Contact Group Ministers stressed the importance of full cooperation by all Parties with the ICRC Working Group on missing persons.

11. The Contact Group Ministers stressed the need for all Parties to cooperate fully with the International Tribunal for the Former Yugoslavia in the investigation and prosecution of war crimes and other violations of international humanitarian law. The Ministers drew particular attention to the understandings reached in Rome and Geneva.

12. The Contact Group Ministers noted the importance of resolving outstanding difficulties arising from the demarcation of the Inter-Entity Boundary Line. The work of the Inter-Entity Boundary Commission should be completed to ensure smooth demarcation of all areas of Bosnia and Herzegovina.

13. The Contact Group Ministers noted the importance of settling the question of the disputed portion of the Inter-Entity Boundary Line in the Brčko area.

Given the sensitivity of the matter, they requested the Parties to select their arbitrators without delay.

14. The Contact Group Ministers noted that full implementation of the agreed confidence-building and arms control measures is an important element of the peace process.

In this connection they called upon the Parties to conclude before 6 June 1996 the Agreement on arms control measures.

The ultimate goal of these efforts is to achieve balanced and stable defence force levels at the lowest numbers consistent with the Parties' respective security.

The creation, when the time comes, of a "Regional Table" inspired by the Stability Pact will also constitute a guarantee for long-term peace in South-eastern Europe.

15. The economic rehabilitation of Bosnia and Herzegovina is of key importance, as is the need to provide for economic reconstruction in the whole of Bosnia and Herzegovina. Priority should be given to projects that contribute to the economic reintegration of the country and facilitate the process of reconciliation. The Ministers welcomed the resources that have already been allocated to urgent rehabilitation work.

The Parties have direct responsibility to kick-start the economy; Ministers expect them to:

- Contribute actively to the economic rehabilitation and reconstruction of their own country, cooperating actively with the assistance being received from the international community and facilitating the work of international agencies; in particular:

  - Institute immediately in each municipality an economic rehabilitation programme designed to clear up the destruction created by war and the restoration of normal services (utilities, transport and other local services) and promote, on a crash basis, the rebuilding of domestic accommodation, giving priority to the employment of demobilized members of the armed forces;

  - Cooperate with each other and the international economic agencies in creating a programme of this kind in Sarajevo, the modalities of which will be discussed very shortly within the Joint Civilian Commission for Sarajevo.

With any necessary technical expertise from the international agencies, Republika Srpska should arrange for water and electricity supplies to be reconnected to Goražde without delay.

16. The Contact Group called attention to the critical importance of the upcoming 12-13 April Pledging Conference and the need for all participants to

come prepared to fulfil the existing commitments and to make substantial contributions.

17. The participants agreed that a review of the implementation by the parties of their commitments would be conducted regularly and that a comprehensive assessment of the results of the first six months of implementation would take place in Rome on 13 and 14 June 1996, as agreed to previously.

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France, Germany, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution

The Security Council,

Reaffirming its resolution 687 (1991) of 8 April 1991, and in particular section C thereof, its resolution 707 (1991) of 15 August 1991 and its resolution 715 (1991) of 11 October 1991 and the plans for ongoing monitoring and verification approved thereunder,

Recalling the request in paragraph 7 of its resolution 715 (1991) to the Committee established under resolution 661 (1990), the Special Commission and the Director General of the International Atomic Energy Agency (IAEA) to develop in cooperation a mechanism for monitoring any future sales or supplies by other countries to Iraq of items relevant to the implementation of section C of resolution 687 (1991) and other relevant resolutions, including resolution 715 (1991) and the plans approved thereunder,

Having considered the letter of 7 December 1995 (S/1995/1017) to the President of the Council from the Chairman of the Committee established under resolution 661 (1990), annex I of which contains the provisions for the mechanism for export/import monitoring called for in paragraph 7 of resolution 715 (1991),

Recognizing that the export/import monitoring mechanism is an integral part of ongoing monitoring and verification by the Special Commission and the IAEA,

Recognizing that the export/import mechanism is not a regime for international licensing, but rather for the timely provision of information by States in which companies are located which are contemplating sales or supplies to Iraq of items covered by the plans for ongoing monitoring and verification and will not impede Iraq's legitimate right to import or export for non-proscribed purposes, items and technology necessary for the promotion of its economic and social development,

Acting under Chapter VII of the Charter of the United Nations,

1. Approves, pursuant to the relevant provisions of its resolutions 687 (1991) and 715 (1991), the provisions for the monitoring mechanism contained in annex I of the aforementioned letter of 7 December 1995 (S/1995/1017), subject to the terms of this resolution;

2. Approves also the general principles to be followed in implementing the monitoring mechanism contained in the letter of 17 July 1995 from the Chairman of the Special Commission to the Chairman of the Committee established under resolution 661 (1990) which is contained in annex II of the aforementioned letter of 7 December 1995 (S/1995/1017);

3. Affirms that the mechanism approved by this resolution is without prejudice to and shall not impair the operation of existing or future non-proliferation agreements or regimes on the international or regional level including arrangements referred to in resolution 687 (1991), nor shall such agreements or regimes impair the operation of the mechanism;

4. Confirms, until the Council decides otherwise under its relevant resolutions, that requests by other States for sales to Iraq or requests by Iraq for import of any item or technology to which the mechanism applies shall continue to be addressed to the Committee established under resolution 661 (1990) for decision by that Committee in accordance with paragraph 4 of the mechanism;

5. Decides, subject to paragraphs 4 and 7 of this resolution, that all States shall:

(a) Transmit to the joint unit constituted by the Special Commission and the Director General of the IAEA under paragraph 16 of the mechanism the notifications, with the data from potential exporters, and all other relevant information when available to the States, as requested in the mechanism on the intended sale or supply from their territories of any items or technologies which are subject to such notification in accordance with paragraphs 9, 11, 13, 24, 25, 27 and 28 of the mechanism;

(b) Report to the joint unit, in accordance with paragraphs 13, 24, 25, 27 and 28 of the mechanism, any information they may have at their disposal or may receive from suppliers in their territories of attempts to circumvent the mechanism or to supply Iraq with items prohibited to Iraq under the plans for ongoing monitoring and verification approved by resolution 715 (1991), or where the procedures for special exceptions laid down in paragraphs 24 and 25 of the mechanism have not been followed by Iraq;

6. Decides that the notifications required under paragraph 5 above shall be provided to the joint unit by Iraq, in respect of all items and technologies referred to in paragraph 12 of the mechanism, as from the date agreed upon between the Special Commission and the Director General of the IAEA and Iraq, and in any event not later than sixty days after the adoption of this resolution;

7. Decides that the notifications required under paragraph 5 above shall be provided to the joint unit by all other States as from the date the

Secretary-General and the Director General of the IAEA, after their consultations with the members of the Council and other interested States, report to the Council indicating that they are satisfied with the preparedness of States for the effective implementation of the mechanism;

8. Decides that the information provided through the mechanism shall be treated as confidential and restricted to the Special Commission and the IAEA, to the extent that this is consistent with their respective responsibilities under resolution 715 (1991), other relevant resolutions and the plans for ongoing monitoring and verification approved under resolution 715 (1991);

9. Affirms, if experience over time demonstrates the need or new technologies so require, that the Council would be prepared to review the mechanism in order to determine whether any changes are required and that the annexes to the plans for ongoing monitoring and verification approved under resolution 715 (1991), which identify the items and technologies to be notified under the mechanism, may be amended in accordance with the plans, after appropriate consultations with interested States and, as laid down in the plans, after notification to the Council;

10. Decides also that the Committee established under resolution 661 (1990) and the Special Commission shall carry out the functions assigned to them under the mechanism, until the Council decides otherwise;

11. Requests the Director General of the IAEA to carry out, with the assistance and cooperation of the Special Commission, the functions assigned to him under the mechanism;

12. Calls upon all States and international organizations to cooperate fully with the Committee established under resolution 661 (1990), the Special Commission and the Director General of the IAEA in the fulfilment of their tasks in connection with the mechanism, including supplying such information as may be sought by them in implementation of the mechanism;

13. Calls upon all States to adopt as soon as possible such measures as may be necessary under their national procedures to implement the mechanism;

14. Decides that all States shall, not later than 45 days after the adoption of this resolution, be provided by the Special Commission and the Director General of the IAEA with information necessary to make preparatory arrangements at the national level prior to the implementation of the provisions of the mechanism;

15. Demands that Iraq meet unconditionally all its obligations under the mechanism approved by this resolution and cooperate fully with the Special Commission and the Director General of the IAEA in the carrying out of their tasks under this resolution and the mechanism by such means as they may determine in accordance with their mandates from the Council;

16. Decides to consolidate the periodic requirements for progress reports under its resolutions 699 (1991), 715 (1991) and this resolution and to request the Secretary-General and the Director General of the IAEA to submit such

consolidated progress reports every six months to the Council, commencing on 11 April 1996;

17. Decides to remain seized of the matter.

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LETTER DATED 27 MARCH 1996 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I should like to inform you that the Government of Rwanda welcomes the second report (S/1996/195, annex) of the International Commission of Inquiry to investigate, inter alia, reports relating to the sale or supply of arms and related matériel to former Rwandese government forces in the Great Lakes region in violation of the relevant Security Council resolutions.

That report contains three important aspects which I would like to draw to the attention of the members of the Security Council.

The first important aspect of the recent findings of the Commission of Inquiry was that they confirmed the previous allegations from four organizations enjoying international credibility, e.g., African Rights, Human Rights Watch, Amnesty International, and the BBC, with regard to the rearming of former Rwandese Government forces.

The second important aspect of the findings of the Commission was with respect to Seychelles. The findings constitute irrefutable proof placing two countries prominently under the implication of facilitating the operation of selling arms to the former Rwandese regime. First of all there is one country whose Government allowed the transfer of arms with the necessary official documents to facilitate the operation; secondly, there is another country which had close ties to the former Rwandese military regime and which at that time was controlling and ensuring the security of Goma airport (Zaire), the final destination of the arms.

The third important aspect of the findings of the Commission is the lack of transparency and cooperation from the Governments which have been accused of actively participating in and facilitating the transfer of arms to the perpetrators of the genocide in Rwanda. What is most serious of all, both the Government of Zaire, which requested the establishment of the Commission, and the Government of France, which needs to demonstrate that certain allegations against it were unfounded, were the first to place obstacles in the way of the Commission after having accepted its mandate.

In Iwawa island, the Rwandan Government also has provided clear evidence that former forces of the Rwandese Army are being armed and the country has been the target of infiltrations which have been mentioned in all the reports of the Secretary-General on Rwanda.

As stated in my previous letter to you, the Commission cannot, and will not, reach satisfactory conclusions for the following reasons: "The Commission has neither the legal powers ... of a police force or an established investigative agency". Clearly, a weak commission cannot investigate a situation falling under Chapter VII of the Charter of the United Nations.

The Security Council has given greater weight to the so-called conference on peace, security and stability in the Great Lakes region. Had it instead provided an adequate mandate and strength to the Commission of inquiry, imposed effective machinery to halt the infiltrations in Rwanda and detained the masterminds of the genocide, the results would have been far more promising. To date the past incorrect United Nations approaches with respect to the problems of the Great Lakes Region have been inaccurate, too much emphasis has been placed upon peace-keeping activities and too much energy has been wasted on a United Nations regional conference, thus counter-productively boosting the morale of the former genocidal regime and facilitating its rearmament.

The Government of Rwanda would like to provide some orientation for the Security Council on the vital role that the Commission of Inquiry could play in ensuring peace, security and stability in the Great Lakes region. Concerning allegations that the former Rwandese Government forces are in violation of the United Nations arms embargo, if the Commission of Inquiry were to be provided with the adequate means, mandate and strength, then an eventual conflagration could be avoided in the Great Lakes region.

The Government of Rwanda would like to invite the Security Council to seize this positive momentum engendered by the recent findings of the Commission of Inquiry and, through its moral authority call upon the international community at large to take appropriate and powerful deterrent measures with a view to preventing further tragedies in the heart of the African continent. In this connection the Government of Rwanda is firmly convinced that, as a result of the Commission of Inquiry's weak mandate and lack of resources, a full picture is yet to be provided with regard to the role that some countries have played and are continuing to play in the rearming of the former Rwandese Armed Forces both during and following the genocide as well as subsequently from exile in eastern Zaire.

The Government of Rwanda seizes this occasion to make the following strong recommendations to the Security Council with regard to the future of the Commission of Inquiry, concerning allegations on the sale of arms to former Rwandese Government Forces, in violation of the United Nations arms embargo:

(a) The Government of Rwanda endorses all the recommendations made by the Commission except that of paragraph 91 (b) of the report, of recruiting Zairean troops, to be led and paid for by the international community, to monitor the Rwandan arms embargo in Zaire. This is as contrary to logic it would be to nominate someone who is a party to a dispute as a mediator to the same dispute;

(b) The Commission should be provided with a mandate under Chapter VII of the Charter of the United Nations enabling it to carry out a thorough investigation and receive the full cooperation of members of the international community implicated in alleged violations of the embargo, so as to send a strong signal to all arms dealers of the world and their governmental supporters that they cannot supply arms to a genocidal organization benefiting from the abuse of human rights with impunity;

(c) The Security Council should strengthen and further extend the Commission's mandate in the light of the incomplete nature of the Commission's findings, the availability of additional evidence (given additional time and resources) and the significance of this first international effort to control the flow of arms in the Great Lakes region, an area with the potential for further genocide. In this connection there are more than sufficient early warnings of mass slaughter by a former genocidal regime to be pursued not only in Rwanda but also in the Great Lakes region;

(d) The Council shall provide greater thrust to and reconfirm the priority importance of the work of the Commission, work that is much more profitable to the countries of the Great lakes region than the proposed United Nations conference on peace, security and stability in the region. The region needs to be under the rule of law rather than being submerged with international conferences;

(e) The Council should insist that Governments cooperate fully with the Commission of Inquiry and call upon them to make public the details of their findings concerning the allegations made by many highly respectable non-governmental organizations. Certain privileged countries should not be exempted from these measures because of their membership in the Security Council; in this case no country should be above the law;

(f) The Security Council should call upon the Government of Zaire to live up to the commitments that it made under the Tunis Declaration by providing the Commission of Inquiry with full and free access to Zaire and allowing the stationing of United Nations military observers at its airfields and border points;

(g) The Council should consider imposing diplomatic and other sanctions against Governments that fail to cooperate with the work of the Commission in violation of the arms embargo provisions contained in the relevant Security Council resolutions 918 (1994), 997 (1995) and 1011 (1995);

(h) The Council should instruct the Commission to look into recent and current allegations of arms shipments to the former Rwandese Government Forces instead of focusing only on past violations of the United Nations arms embargo;

(i) The Council should heed the Commission's recommendation with respect to the creation of an organ fully empowered to monitor, implement and enforce the United Nations arms embargo;

(j) The Government of Rwanda recommends that further investigations be carried out on the number of cargo flights bringing into Goma weapons which were then transferred to the Rwandese Government Forces;

(k) The Government of Rwanda also strongly recommends that the Security Council envisage ways and means to carry out more in-depth investigation into the role of Zaire in providing shelter and protection to the Rwandese Army Forces and rebel militias in eastern Zaire, and permitting those forces to carry out military training activities and military raids in Rwanda and other neighbouring countries.

The Government of Rwanda would like to invite the Security Council to encourage countries such as Cameroon, Seychelles and Zambia in their determination to implement the relevant Security Council resolutions.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(Signed) Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations

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28 March 1996

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LETTER DATED 28 MARCH 1996 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I would like to take this opportunity to bring to your attention a request that my Government has made to the Prosecutor for the International Tribunal for the former Yugoslavia in The Hague, the Honourable Judge Richard Goldstone. We have requested that he forward to the Security Council a review of the cooperation that his office has received from Member States regarding the turning over of those individuals indicted by the Tribunal. I have enclosed our letter of request for your review and request that the Council consider this matter in its consultations on the situation in Bosnia and Herzegovina and the region.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative

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Annex

Letter dated 28 March 1996 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Prosecutor for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

We are all indeed appreciative of your efforts over the last two years to bring justice for the benefit of the victims and for all in the international community through the work of The Hague war crimes Tribunal. Although your efforts may not have realized all the objectives of bringing suspects to custody and before the Tribunal, none the less there has been a most positive impact upon justice and the peace process. I wish you the best in your new endeavours once you do complete the end of your term later this year.

Now, however, we ask you to complete one other critical element of your mandate. The Tribunal, in particular the Prosecutor's Office, needs to address to the Security Council an analysis of the cooperation it has received from Member States. This is particularly necessary with respect to the States and parties that reaffirmed their commitment to cooperate fully with the Tribunal under the terms of the Dayton/Paris Agreement.

The objectives of my request are simple: to make consistent the actions of the Security Council and other relevant international authorities with respect to the parties that are called upon to cooperate with the Tribunal. It appears that much still remains to be desired. Some of the signatories to the Dayton/Paris Agreement are harbouring on a regular basis suspects indicted and wanted by the Tribunal. As the Permanent Representative of Bosnia and Herzegovina, I am not entirely satisfied that all the parties within Bosnia and Herzegovina have cooperated with the Tribunal. All one has to note is the presence of Ratko Mladić, Radovan Karadžić and Milan Martić on the territory of Bosnia and Herzegovina, the latter being now subject to the highest-level extradition order of the Tribunal.

We would also welcome your proposals to address the problem. For our part, we will endeavour to cooperate fully with the Tribunal, even if sometime we may feel alone, quixotic and politically vulnerable. It would indeed be ironic if the only State or party cooperating in the extradition process were also the prime victim while the major instigators and executors remained free.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative

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28 March 1996
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LETTER DATED 27 MARCH 1996 FROM THE PERMANENT REPRESENTATIVE OF CHILE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour herewith to reiterate the views expressed by the Chilean delegation on 27 March 1996 in the informal consultations held by the Security Council regarding the draft statement by the President on arrangements for consulting with troop-contributing countries.

I should like to make the following points:

Chile considers it a matter of principle that troop-contributing countries have a right to be heard by the Security Council.

We must acknowledge as a basic premise that a State which makes available military, police or civilian personnel to the international community for a peace-keeping operation, even though there is a risk of loss of life, thereby acquires the legitimate right to be consulted by the Security Council, in whatever manner the Council deems fit. As currently drafted, the statement by the President does not recognize this right.

We consider that in due course, the Security Council will have to take this matter up again in order to work out the necessary consensus so that this right may be recognized de jure and not only de facto.

Having said this, my delegation will join in the consensus in order to adopt the presidential statement that introduces improvements to the arrangements for consulting and exchanging information with troop-contributing countries established in the previous presidential statement of 4 November 1994 (S/PRST/1994/62).

I request that this present letter be circulated as a document of the Security Council.

(Signed) Juan SOMAVIA
Ambassador
Permanent Representative

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION

(1 October 1995-31 March 1996)

I. INTRODUCTION

1. The present report on the United Nations Iraq-Kuwait Observation Mission (UNIKOM) covers developments since my report of 2 October 1995 (S/1995/836) and gives an account of the activities of UNIKOM in pursuance of the mandate entrusted to it by the Security Council in resolutions 687 (1991), 689 (1991) and 806 (1993).

II. ACTIVITIES OF THE UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION AND THE SITUATION IN THE DEMILITARIZED ZONE

2. During the period under review, the situation in the demilitarized zone (DMZ) was generally calm. UNIKOM received nine formal complaints: three from Iraq and six from Kuwait. Of these, UNIKOM was able to confirm one complaint from Iraq, concerning overflights of the DMZ by military aircraft on 14 and 18 December 1995, although their nationality could not be determined. UNIKOM also confirmed one complaint from Kuwait, concerning two Iraqi border policemen who had crossed the border on 12 March 1996 and recrossed it a short while later.

3. On several occasions, UNIKOM patrols saw single tracer rounds being fired into the air on the Iraqi side of the DMZ and heard rounds being fired from small arms on either side. Such firing appeared not to be directed at anyone, and it has not been possible to establish who fired or why.

4. There were a number of overflights by F-4, F-16 and A-10 military aircraft. Such aircraft are used by the coalition forces, but the nationalities could not be confirmed. On 2 December 1995, a low-flying Blackhawk helicopter for a time followed a UNIKOM helicopter which was on a reconnaissance flight in the DMZ.

5. An incident occurred on 23 March 1996 when three masked men armed with assault rifles forced their way into a UNIKOM patrol base in the northern sector, on the Iraqi side of the DMZ. The motive appeared to be robbery, and the men retreated before soldiers of the Bangladesh battalion which had arrived to secure the base. The Iraqi liaison officer was informed of the incident, and steps were taken by him to establish random police checkpoints around the area. UNIKOM has tightened security of its patrol bases in that vicinity.

6. Oil drilling and the development of related infrastructure within the DMZ increased on both sides of the border. There was also an increase in farming and grazing activities in keeping with seasonal changes.

7. Kuwait added a number of ramps to its barbed-wire fence and sand berm along the border to facilitate observation of its border police by vehicle patrols. It also built an observation tower in the area between Safwan and Umm Qasr.

8. UNIKOM monitored the DMZ from patrol and observation bases, through ground and air patrols, and from temporary observation points in the populated areas. (A map showing UNIKOM's deployment is attached.) UNIKOM maintained liaison with the Iraqi and Kuwaiti authorities at all levels and coordinated with them in cases of unauthorized border crossing and repatriation. It also cooperated closely on such matters with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC).

9. UNIKOM provided the venue and support for five meetings of the Technical Subcommittee on Military and Civilian Missing Prisoners of War and Mortal Remains. The meetings were held alternately in Umm Qasr (Iraq) and Camp Khor (Kuwait) under the auspices of ICRC.

III. ORGANIZATIONAL MATTERS

10. As of March 1996, the overall strength of UNIKOM was 1,356, as follows:

(a) 245 military observers from Argentina (6), Austria (7), Bangladesh (10), Canada (4), China (15), Denmark (5), Fiji (7), Finland (7), France (15), Ghana (6), Greece (6), Hungary (6), India (7), Indonesia (6), Ireland (6), Italy (7), Kenya (6), Malaysia (6), Nigeria (7), Pakistan (8), Poland (6), Romania (6), Russian Federation (15), Senegal (7), Singapore (6), Sweden (6), Thailand (7), Turkey (6), United Kingdom of Great Britain and Northern Ireland (15), Uruguay (7), United States of America (15) and Venezuela (2);

(b) An infantry battalion of 775 all ranks from Bangladesh;

(c) An engineer unit of 50 from Argentina;

(d) A logistics unit of 34 from Austria;

(e) A helicopter unit of 29 from Bangladesh;

(f) A medical unit of 12 from Germany;

(g) 211 civilian staff, of whom 72 were recruited internationally.

On 1 December 1995, Major-General Gian Giuseppe Santillo (Italy) succeeded Major-General Krishna N. S. Thapa (Nepal) as Force Commander.

11. There were a number of changes in the support elements: In October 1995, a helicopter unit from Bangladesh replaced the chartered helicopter. In December 1995, a civilian medical unit from Germany took over from the contractor. In January 1996, the Danish logistic unit was replaced by a unit from Austria. UNIKOM retained use of a chartered fixed-wing aircraft.

12. In the interest of economy and efficiency, I have approved a modest streamlining proposed by General Santillo, reducing the number of military observers by about 50. The reduction will involve staff positions at the Mission and Sector headquarters, as well as the patrol bases. One Sector headquarters will be eliminated entirely, leaving two sectors instead of three. The operational activities of UNIKOM will not be affected by the reduction; its active presence in the field will be maintained at the same level as at present.

IV. FINANCIAL ASPECTS

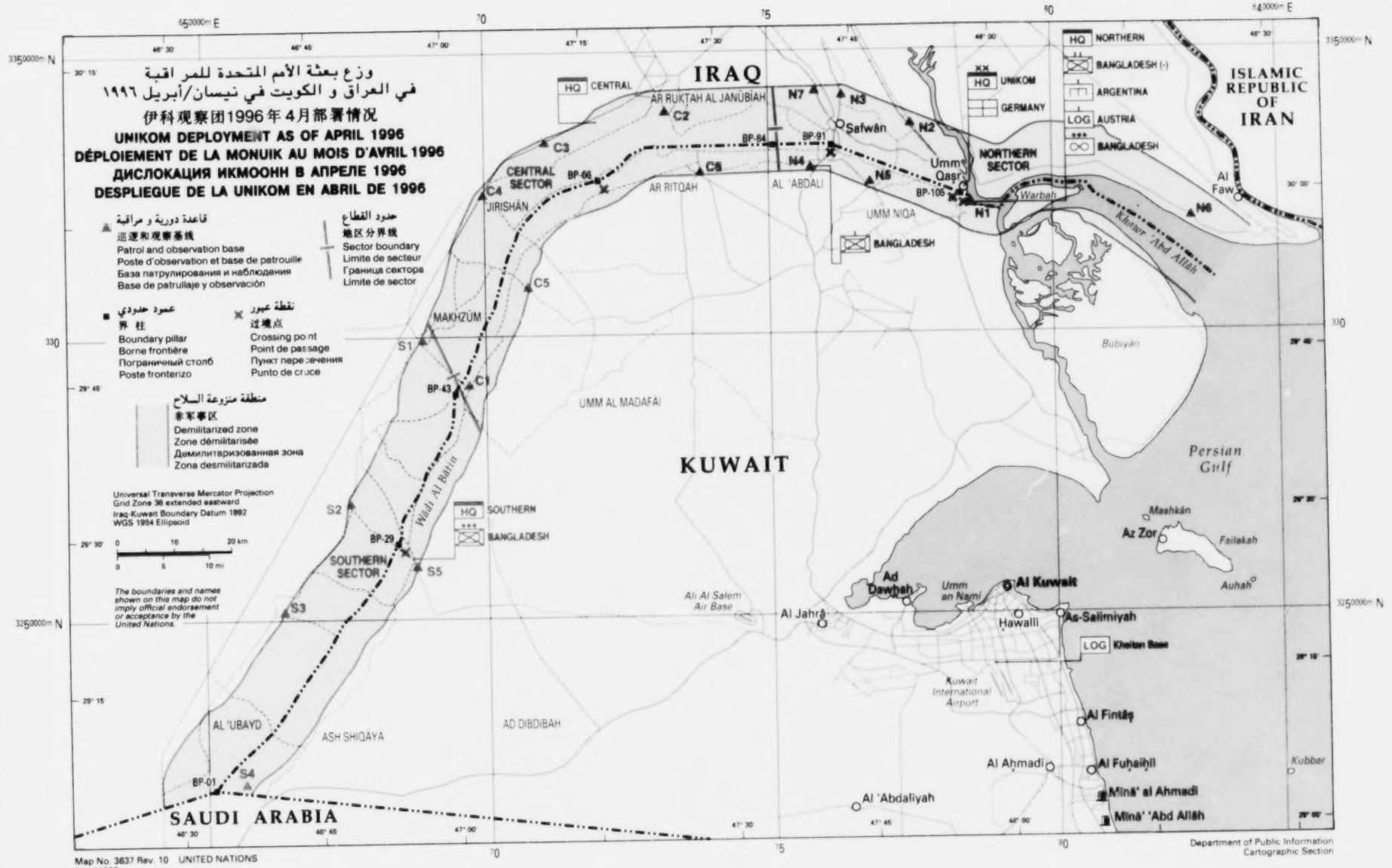
13. The General Assembly, by its resolution 49/245 of 12 July 1995, authorized me to enter into commitments for UNIKOM at a monthly rate of $1,811,900 gross for the period ending 30 June 1996. This is in addition to the two-thirds share of $3,188,100 per month to be met through voluntary contributions from the Government of Kuwait. This authorization is subject to review by the Security Council of the mandate of the Mission. Assessments on Member States have been made for the period ending 30 April 1996 and the Government of Kuwait has paid its voluntary contributions for the period ending 31 October 1995.

14. At the end of February 1996, unpaid assessed contributions to the Special Account for UNIKOM for the period since the inception of the Mission through 30 April 1996 amounted to $28,822,142. The total unpaid assessed contributions for all peace-keeping operations amounted to $1.9 billion.

V. OBSERVATIONS

15. During the last six months, the Iraq-Kuwait border and the DMZ have remained generally calm. UNIKOM contributed to this situation through its patrolling and liaison activities. In carrying out its tasks, UNIKOM received the cooperation of both sides. I recommend that the Mission be maintained.

16. In conclusion, I wish to pay tribute to General Santillo and the men and women under his command for the manner in which they have discharged their responsibilities. Their discipline and bearing have been of a high order, reflecting credit on themselves, on their countries and on the United Nations. I also wish to pay special tribute to General Thapa for his outstanding leadership during his two years as Force Commander.



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